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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,560	07/13/2001	John D. Goodspeed	A7783	2137

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EXAMINER

LIN, KENNY S

ART UNIT PAPER NUMBER

2154

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,560

Applicant(s)

GOODSPEED, JOHN D.

Examiner

Kenny Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 16-61 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-15 are presented for examination. Claims 16-61 are withdrawn from consideration.

Election/Restrictions

2. Applicant's election without traverse of Claims 1-15 in the reply filed on 5/16/2005 is acknowledged.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack proper antecedence basis:

- i. Claim 1, line 3 – the seeker;
- ii. Claim 1, line 4 – the intended object (please be consistent with the terms);
- iii. Claim 1, line 11 – a telephone number;
- iv. Claim 1, line 20 – a telephone number;
- v. Claim 1, line 28 – a telephone number;
- vi. Claim 2, line 3 – a message;
- vii. Claim 2, line 4 – the sender;

- viii. Claim 2, line 11 – a telephone number;
 - ix. Claim 2, line 20 – a telephone number;
 - x. Claim 2, line 28 – a telephone number;
 - xi. Claim 5, line 3 – a telephone number;
 - xii. Claim 5, line 4 – a telephone number;
 - xiii. Claim 5, line 5 – a telephone number location;
 - xiv. Claim 6, lines 3 and 7 – the characters;
 - xv. Claim 10, line 4 – the message;
 - xvi. Claim 11, line 3 – the message;
 - xvii. Claim 12, line 1 – a telephone number;
 - xviii. Claim 13, line 1 – a telephone number;
 - xix. Claim 12, line 3 – the security constraints;
 - xx. Claim 13, line 3 – the security constraints;
 - xxi. Claim 14, line 3 – its;
 - xxii. Claim 15, line 3 – its.
- b. The following terms are indefinite:
- i. Claim 1, line 22 – Server(s);
 - ii. Claim 2, line 22 – Server(s);
 - iii. Claim 6 – “(without need of filling out an interactive browser form)” and
“(requires an interactive browser form)” (Claim limitations cannot be
place inside parentheses);

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- c. Regarding claims 1-15, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Anderson et al (Anderson), US 5,974,453.

7. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al (Anderson), US 5,974,453.

8. As per claim 1, Anderson taught the invention as claimed including a method of seeking, accessing or connecting to an object via the Internet comprising the steps of:

- a. Addressing the object by a telephone number known by the seeker to be related to the intended object (col.3, lines 20-23, 42-48);

- b. Using an Internet URI or URL or other RHI compliant form of target object address where the highest level domain components after the Top Level Domain are comprised of telephone numbers and/or portions of telephone numbers and/or variations of telephone number (col.3, lines 29-34, col.5, lines 60-67);
- c. Using a telephone number including any or all of: a basis subscriber telephone number, national or international telephone number, extension, line number, exchange, area code, city code, local code, region, code, country code, other code, custom prefix or suffix digits, delimiting characters, letters or special characters or characters of an international character set (col.4, lines 10-7, col.5, lines 25-47, 56-67, col.6, lines 12-17, 60-63);
- d. Using a supported TLD that is either a current TLD or a future TLD or a Country Code Top Level Domain or a custom TLD or a TLD composed of a telephone number in its entirety or any specific portion thereof (col.3, lines 54-62, col.4, lines 10-17);
- e. Using a Domain Name System and Domain Name Server(s) capable of translating and/or resolving any form of user submitted telephone number URI/URL/RHI into an actual or pseudo IP address (col.3, lines 1-4, 29-41, 49-62, col.4, lines 44-53, col.5, lines 27-33);
- f. Using software in the form of applications or services capable of performing useful work with a resolved IP address such as standard message, e-mail, voice, video and multi-media software, web browsers, file sharing servers or any other

software that would benefit from the conversion of a telephone number to an IP address (col.3, lines 42-48, col.7, lines 35-37, 55-60).

9. As per claim 2, Anderson taught the invention as claimed including a method of sending a message via the Internet to an Internet address associated with the intended recipient comprising the steps of:

- a. Sending a message to the intended recipient by addressing the message to a telephone number known by the sender to be related to the intended recipient (col.2, lines 8-12);
- b. Using an Internet URI or URL or other RHI compliant form of target object address where the highest level domain components after the Top Level Domain are comprised of telephone numbers and/or portions of telephone numbers and/or variations of telephone number (col.3, lines 29-34, col.5, lines 60-67);
- c. Using a telephone number including any or all of: a basis subscriber telephone number, national or international telephone number, extension, line number, exchange, area code, city code, local code, region, code, country code, other code, custom prefix or suffix digits, delimiting characters, letters or special characters or characters of an international character set (col.4, lines 10-17, col.5, lines 25-47, 56-67, col.6, lines 12-17, 60-63);
- d. Using a supported TLD that is either a current TLD or a future TLD or a Country Code Top Level Domain or a custom TLD or a TLD composed of a telephone

number in its entirety or any specific portion thereof (col.3, lines 54-62, col.4, lines 10-17);

- e. Using a Domain Name System and Domain Name Server(s) capable of translating and/or resolving any form of user submitted telephone number URI/URL/RHI into an actual or pseudo IP address (col.3, lines 1-4, 29-41, 49-62, col.4, lines 44-53, col.5, lines 27-33);
- f. Using software in the form of applications or services capable of performing useful work with a resolved IP address such as standard message, e-mail, voice, video and multi-media software, web browsers, file sharing servers or any other software that would benefit from the conversion of a telephone number to an IP address (col.3, lines 42-48, col.7, lines 35-37, 55-60).

10. As per claim 3, Anderson taught the invention as claimed in claim 2. Anderson further taught that the message is a traditional Internet e-mail message (col.2, lines 8-12).

11. As per claim 4, Anderson taught the invention as claimed in claim 2. Anderson further taught that the message is an instant or immediate message (col.2, lines 8-12).

12. As per claim 5, Anderson taught the invention as claimed in claim 2. Anderson further taught that the URI or URL or other RHI is comprised of a telephone number and/or other handle either symbolic of a telephone number and/or incorporating a portion of a telephone number and/or an identifying name or subgroup name or other entity handle at the telephone number

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location, and the component digits or natural conventional portions of the telephone number may be separated by, periods, dashes, at signs, international characters or other special purpose characters (col.3, lines 54-62, col.4, lines 10-17, col.5, lines 25-47, 56-67, col.6, lines 12-17, 60-63).

13. As per claim 6, Anderson taught the invention as claimed in claim 5. Anderson further taught that the telephone number is preceded by or followed by some arbitrary number letters and/or digits and/or special characters and/or international characters; and the characters preceding or following the telephone number may symbolically indicate direct (without need of filling out an interactive browser form) or indirect (requires an interactive browser form) actions to be taken against the included telephone number; and the characters preceding or following the telephone number may include an authorizing Personal Identification Number (PIN) and/or additional identification information (col.3, lines 29-34, col.3, lines 54-62, col.4, lines 10-17, col.5, lines 25-47, 56-67, col.6, lines 12-17, 60-63, col.7, lines 15-27).

14. As per claim 7, Anderson taught the invention as claimed in claim 6. Anderson further taught that the telephone number is being used as a direct e-mail (e-mail) source or destination address (col.2, lines 8-12).

15. As per claim 8, Anderson taught the invention as claimed in claim 6. Anderson further taught that the telephone number is being used as a direct immediate message or instant message source or destination address (col.2, lines 8-12).

16. As per claim 9, Anderson taught the invention as claimed in claim 6. Anderson further taught that the telephone number is being used as a direct web site retrieval address (URL).

17. As per claims 10-11, Anderson taught the invention as claimed in claim 6. Anderson further taught that the telephone number is being used as a direct self contained URI/URL/RHI instant message or immediate message or web site message posting or bulletin board posting or e-mail destination address (col.2, lines 8-12); and the message or e-mail is entered directly into the Internet web browser address line as a single line entry of less than or equal to the maximum number of characters allowed by the application software (col.3, lines 29-34, col.4, lines 10-17, col.5, lines 25-47, 56-67, col.6, lines 12-17, 60-63; URL is inherently known to be entered into browser address line).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (Anderson), US 5,974,453, in view of "Official Notice".

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20. As per claims 12-13, Anderson taught the invention substantially as claimed in claim 1. Anderson further taught to use any telephone number subject to the security constraints imposed by the telephone number subscriber to access content or resource on the Internet (col.3, lines 42-48, col.7, lines 35-37, 55-60, col.7, lines 15-27). Anderson did not specifically teach that the subscriber of a telephone number has the ability to establish one or more personal databases (objects) or post and share one or more files or web pages (objects) that can be made universally available. However, Official Notice is taken that both the concept and advantage of posting files for sharing on an online personal database is well known and expected in the art (e.g. online photo sharing, media sharing and storing). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Anderson and further enables the use any telephone number subject to the security constraints imposed by the telephone number subscriber to access content or resource on the Internet such as online personal photo album with pictures posted and shared by the subscriber (col.3, lines 42-48, col.7, lines 35-37, 55-60, col.7, lines 15-27).

21. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (Anderson), US 5,974,453, in view of Gibson et al (Gibson), US 2002/0016174.

22. As per claim 14, Anderson taught the invention substantially as claimed in claim 6. Anderson did not specifically teach that the telephone number is being used as a direct self contained URI/URL/RHI command line for the purpose of directly or indirectly setting the activity and/or status of a telephone number or its owner or one of its member groups or member

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entities. Gibson taught that the telephone number is being used as a direct self contained URI/URL/RHI command line for the purpose of directly or indirectly setting the activity and/or status of a telephone number or its owner or one of its member groups or member entities (pp. 0023, 0060-0061). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teachings of Anderson and Gibson because Gibson's teaching of directly setting activity and status enables Anderson's method to set the activity of member entities.

23. As per claim 15, Anderson taught the invention substantially as claimed in claim 6. Anderson did not specifically teach that the telephone number is being used as a URI/URL/RHI for the purpose of directly or indirectly querying the activity and status of a telephone number or its owner or one of its member groups or member entities. Gibson taught that the telephone number is being used as a URI/URL/RHI for the purpose of directly or indirectly querying the activity and status of a telephone number or its owner or one of its member groups or member entities (pp. 0060-0061). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teachings of Anderson and Gibson because Gibson's teaching of directly setting activity and status enables Anderson's method to set the activity of member entities.

Conclusion

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Kelly, US 6,594,254.

Low et al, US 6,131,095

Kumpati, US 4,774,661.

25. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
June 23, 2005


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